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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 14-00826 SOM
)
 Plaintiff,) GOVERNMENT'S OPPOSITION TO
) DEFENDANT ALBERT S.N. HEE'S
 vs.) MOTION IN LIMINE TO PRECLUDE
) EVIDENCE RELATING TO THE
ALBERT S.N. HEE,) BOARD OF WATER SUPPLY LEASE
) AMENDMENT AND LEASE DISPUTE;
 Defendant.) CERTIFICATE OF SERVICE
)

GOVERNMENT'S OPPOSITION TO DEFENDANT ALBERT S.N. HEE'S
MOTION IN LIMINE TO PRECLUDE EVIDENCE RELATING TO THE
BOARD OF WATER SUPPLY LEASE AMENDMENT AND LEASE DISPUTE

The United States opposes Defendant's motion to exclude evidence regarding the Board of Water Supply lease and amendment. Put simply, Defendant already lost his motion to strike these allegations, and his efforts to exclude evidence of the charged conduct have no legal basis.

Defendant previously moved to strike from the indictment the allegations regarding the lease with the Board of Water Supply and the associated tax implications of that lease. Doc. 65. The Court denied the motion, noting that it was "unpersuaded by Hee's argument that the water main lease allegations should be stricken because the law was too unclear to allow him to be convicted in that regard." Doc. 81, p. 29. The Court also ruled that "[w]hether Hee's conduct was such a corrupt attempt to obstruct the administration of the IRS and/or the tax laws is a matter for the jury to decide." Doc. 81, p. 28-29.

Defendant's motion in limine is based on the same legal theory previously rejected by this Court. The Court has already ruled that the allegations sufficiently allege a crime to be submitted to the jury. Defendant may raise objections to specific evidence offered at trial, but his motion to exclude all evidence concerning the water main allegations should be denied.

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DATED: June 1st, 2015, in Washington, DC.

Respectfully submitted,

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By /s/ Quinn P. Harrington
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the dates and by the methods of service noted below, the true and correct copy of the foregoing was served on the following at his last known address:

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DATED: June 1st, in Washington, DC.

/s/ Quinn P. Harrington
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